

10/772,610

KOYOP101USA

REMARKS

Claims 1-12 and 21-27 are currently pending in the subject application and are presently under consideration. Non-elected claims 13-20 have been cancelled, but applicant reserves the right to pursue these claims in a subsequently-filed divisional application. Claims 1, 2, 3, 8, and 10 have been amended and new claims 21-28 are presented as shown on pp. 2-4 of the Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection of Claims 2 and 3

Claims 2 and 3 have been objected to because of minor informalities. The claims have been amended to overcome the stated informalities. Therefore, these objections should be withdrawn.

II. Rejection of Claims 1, 2, 5, 6 and 9 Under 35 U.S.C. §102(b)

Claims 1, 2, 5, 6 and 9 stand rejected under 35 U.S.C. §102(b) as being anticipated by Siegel (US 2,073,231). Withdrawal of this rejection is requested for at least the following reasons. Siegel does not disclose each and every limitation set forth in the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

Applicant's claimed subject matter, as recited in amended claim 1 relates to an *outer garment comprising an inner pocket and a vest/liner formed to selectively be worn in one of alone and coupled to the outer garment*. The vest/liner has *an access slit that facilitates access to the inner pocket of the outer garment* when coupled to the outer garment, and means are provided for fastening and at least partially coupling the vest/liner to the outer garment such that *the inner pocket is accessible via the access slit*

10/772,610

KOYOP101USA

when the vest/liner is coupled to the outer garment. New independent claims 21 and 27 recite other novel aspects not shown in the cited document, respectively, *a pocket formed in a garment sleeve for retaining an instrument and a pocket map indicator that provides an indication of the contents of the pocket.* Siegel does not disclose or suggest these novel features.

Siegel relates to a common overcoat having a removable interlining. The Examiner reads Siegel's slits 60 onto both the claimed access slit and inner pocket, and cites a passage of Siegel from page 2, col. 2, line 44 to page 3, col. 1, line 3 that allegedly shows the claimed inner pocket is accessible via the access slit when the vest/liner is coupled to the outer garment. However, this passage actually discloses that the pocket construction is intended to permit a wearer to gain access to his sack coat (i.e. suit jacket) without unbuttoning his overcoat. It is clear from Siegel that if a wearer simply inserts his hand normally into the coat pocket, there will be no danger of having the hand go through the slit. (p. 2, col. 2, lines 56-59). However, the passage goes on to disclose a slit 53 in the overcoat such that, if it is desired to gain access to a sack coat pocket the hand is twisted rearwardly to open up the slit 53 (supra, lines 69-72) and (in) order that the pocket construction... be of value even with the interlining in place I preferably provide slits 60 in the raincoat adapted to register with the slits in the overcoat pockets. (p. 3, col. 1, lines 1-16). So it is clear from the above that one must first insert one's hand through the pocket so as to access the interliner slit 60 and thereby gain access to the sack coat, without unbuttoning one's overcoat. This is plainly in contradistinction with the subject design. So the claimed garment is distinguishable on at least this ground. It is further noted that Siegel shows an interliner with sleeves that extend into the sleeves of the overcoat. Siegel therefore fails to disclose a *vest/liner* as claimed. Further, it is clear that Siegel's overcoat is used with or without the interliner, and therefore the interliner has no distinct use apart from the overcoat. However, the claimed vest/liner is formed to be worn as a *standalone garment* or *coupled to the outer garment*. Nothing of the kind is disclosed or suggested in the four corners of Siegel. Further, Siegel clearly fails to disclose or suggest *a pocket formed in a garment sleeve for retaining an instrument and a pocket map indicator that provides an indication of the contents of the pocket*, as respectively recited in independent claims 21 and 27.

10/772,610

KOYOP101USA

In view of at least the foregoing arguments, it is readily apparent that the cited document does not disclose or suggest every aspect of the claimed subject matter. Accordingly, the rejection of independent claims 1, 21, and 27 (and claims that depend there from) should be withdrawn.

III. Rejection of Claims 3, 4, 11 and 12 Under 35 U.S.C. §103(a)

Claims 3, 4, 11, and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Siegel in view of Jordan (US 2002/0189000). Withdrawal of this rejection is requested for at least the following reasons. Claims 3, 4, 11, and 12 depend from independent claim 1; and as stated *supra*, Siegel does not disclose or suggest every limitation set forth in the subject independent claim, and Jordan does not cure the aforementioned deficiencies. Accordingly, this rejection should be withdrawn.

IV. Rejection of Claims 7, 8 and 10 Under 35 U.S.C. §103(a)

Claims 7, 8, and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Siegel in view of Anderson (US 3,055,133). Claims 7, 8, and 10 also depend from independent claim 1; and as stated *supra*, Siegel does not disclose or suggest every limitation set forth in the subject independent claim, and Anderson does not cure the aforementioned deficiencies. Accordingly, this rejection should be withdrawn.

10/772,610

KOYOP101USA

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin

Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731